

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JESSIE M. WALKER,

Plaintiff,

v.

HOME DEPOT U.S.A., INC.,

Defendant.

CASE NO. 2:24-cv-01385-MJP

ORDER DENYING RENEWED  
MOTION FOR CONTINUANCE

The matter comes before the Court on the Parties Renewed Stipulated Motion to Continue Certain Pre-Trial Deadlines (Dkt. No. 15.) Having reviewed the motion and all supporting materials, the Court DENIES the Motion.

Federal Rule of Civil Procedure 16(b)(4) requires good cause to amend the Court's case schedule. In their previous motion, the Parties sought a 60-day continuance on certain deadlines to pursue settlement negotiations. (See Dkt. No. 13.) The Court denied that request, finding that "the mere possibility of settlement discussions does not form the basis of good cause to amend the Court's case schedule." (Dkt. No. 14 at 1.) The Parties now renew their request for a 60-day

1 continuance on the basis that (1) a video produced by Defendant “did not show the scene of the  
2 incident;” (2) a “delay in locating and scheduling [the] deposition” of a former employee of  
3 Defendant who was witness to the incident at issue; and (3) a continuance would “allow the  
4 parties the opportunity to continue their ongoing settlement negotiations.” (Mot. at 3-4.) On this  
5 record, the Court still does not find there to be good cause to modify the case schedule. First, as  
6 previously noted, the Court does not consider the possibility of settlement discussions as good  
7 cause under Fed. R. Civ. P. 16(b)(4). Second, as to the video, the Parties do not claim that videos  
8 showing the incident are indeed available, and, if so, why they cannot be produced within the  
9 time constraints of the existing case schedule. Finally, as to the witness, the Parties have  
10 provided no information as to when they began to look for the witness, what efforts they have  
11 taken to locate the witness, whether the witness has been cooperative, or any other information  
12 that would warrant a 60-day continuance in this matter. The Court notes that as a general matter,  
13 “failure to complete discovery within the time allowed is not recognized as good cause.” (Case  
14 Scheduling Order (Dkt. No. 8) at 2.)

15 On the record presented, the Court DENIES the Motion without prejudice. As before, the  
16 Parties may renew their request, however the Court reminds them that any renewal must be  
17 supported by evidence of diligence and specific reasons why they cannot meet the case  
18 deadlines.

19 The clerk is ordered to provide copies of this order to all counsel.

20 Dated March 28, 2025.

21 

22 Marsha J. Pechman  
23 United States Senior District Judge  
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